

REMARKS

Upon entry of the present paper, claims 41-46 will have been submitted for consideration by the Examiner.

In view of the herein contained amendments and remarks taken together with the amendments and remarks submitted with the response under 37 CFR 1.116 filed on December 14, 2009, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections set forth in the official action of September 14, 2009.

Newly submitted claims 41-46 recite that the selections of one of the plurality of program configuration information, is by unidirectional communication. As can clearly be seen in Fig. 3 of Zhang et al. window size is changed, via the acknowledgement message (ACK) sent to the TCP sender, via a bidirectional communication as disclosed in paragraphs [0046] and [0047]. Thus, claims 41-46 provide yet additional basis for patentability, in addition to and independently of the combinations recited in each of the independent claims.

Upon entry of the present paper, Applicants explicitly incorporate herein all of the arguments set forth in the above noted response under 37 CFR 1.116. The herein contained arguments are supplemental to the above noted arguments and provide additional bases for the patentability of the claims pending in the present application.

SUMMARY AND CONCLUSION

Applicant submits that they have made a sincere effort to place the present application into condition for allowance and believe that they have now done so. Applicants have submitted new claims to define additional patentable features of the present invention and to clarify and amplify the distinctions between the present invention and the disclosures of the references relied upon by the Examiner in the outstanding rejection.

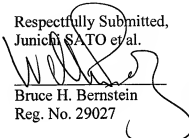
In this regard, Applicants have pointed out the shortcomings and deficiencies of the references. Accordingly, Applicants have provided a clear and convincing evidentiary basis supporting the patentability of all of the claims pending in the present application and respectfully request an indication to such effect in due course.

Any amendments to the claims which have been made in this or in the previous amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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